THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.2212 of 2006

Dated:21.09.2006

Between
S.Sammaiah

…..Petitioner

and

1.The Commissioner of Civil Supplies,
Government of A.P., Hyderabad.
And others.

…Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.2212 of_2005

ORDER:

This writ petition is filed seeking Certiorari to call for the records relating to the impugned proceedings No.G4/1813/2003 on the file of the 2nd respondent and to quash the same, as illegal and arbitrary.

It seems that the Revenue Divisional Officer, Peddapalli issued orders dated 19.01.2006, converting the Retail Kerosene Dealership of the petitioner as Fair Price Shop Dealership and appointing him as Fair Price Shop Dealer for shop No.4532 of Godavarikhani. In fact, the same is inconsistence with the policy of the Government. However, it seems that the Revenue Divisional Officer allotted the Fair Price Shop No.4532,Godavarikhani in favour of the petitioner without obtaining prior sanction from the

Commissioner of Civil Supplies, Hyderabad and it is in violation of the procedure issued by the Government vide Circular No.PDS.II(3)2847/05, dated 19.03.2005. Therefore, the allotment of authorization in favour of the petitioner was cancelled, only on the ground that the allotment was made without obtaining prior permission from the higher authorities.

Having regard to the fact that the petitioner was a retail kerosene dealer and also the fact that the policy of the Government is not in dispute, the only objection was that the Revenue Divisional Officer did not seek permission before appointing the petitioner.

In view of the above, I am of the opinion that it is suffice to direct the petitioner to file an appropriate petition before the concerned authorities seeking ratification of action of the Revenue Divisional Officer and appointing him as a fair price shop dealer, on conversion. On such application being made by the petitioner, the same shall be considered sympathetically by ratifying the

action of the Revenue Divisional Officer. Till such time, the impugned order shall not be given effect to.

Writ Petition is, accordingly, disposed of. No costs.

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21-09-2006

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